

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20/11/2018

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26853 of 2018

S.V.Dinesh Kumar

.. Petitioner

Vs

1. The Inspector of Police,
K-6, T.P. Chatiram Police Station,
Chennai.

2. Shobana Lakshmi

3. D. Swamynathan

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to expunge the remark of "as settled" made in the order of this Hon'ble Court in Crl.O.P.No.27637 of 2017 dated 23.02.2018.

For Petitioner : Ms.G.Janaki

For R1 : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

This petition has been filed seeking to expunge the remark made in the order passed by this Court in Crl.O.P.No.27637 of 2017 by order dated 23.02.2018.

2. The learned counsel for the petitioner brought to the notice of this Court, Paragraph 2 of the order on the same is extracted hereunder.

"2. When the matter was taken up today, the learned Additional Public Prosecutor submitted that based on the complaint given by the defacto complaint the enquiry has been conducted and the complaint has been closed as settled."

3. The learned counsel for the petitioner would submit that this Court has recorded the submission made by the learned Additional Public Prosecutor to the effect that the complaint has been closed as settled. According to the learned counsel for

the petitioner, the matter has not been settled between the parties and a wrong submission has been made before the Court by the Additional Public Prosecutor.

4. The relief as claimed by the petitioner has not sustainable. This Court has not made any remark and this Court has merely recorded the submission made by the Additional Public Prosecutor. If the submission made by the Additional Public Prosecutor based on the instructions given by the respondent police, is not correct, the petitioner has to work out his remedy in the manner known to law and a petition of this nature is not maintainable.

5. In view of the above, this Criminal Original Petition is dismissed.

ssr/ub

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
K-6, T.P. Chatiram Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc Mr.V.Pavel, Advocate, SR.NO.78928

DR(CS)
KAK(29/11/2018)

सत्यमेव जयते

Cr1.O.P.No.26853 of 2018

WEB COPY